

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

CASA DE MARYLAND, INC., *et al.*,

Plaintiffs,

— *versus* —

CHAD F. WOLF, *et al.*,

Defendants.

Case No. 8:20-cv-2118-PX

[PROPOSED] ORDER

UPON CONSIDERATION of the Plaintiffs’ Motion for a Stay of Effective Dates Under 5 U.S.C. § 705 or, in the Alternative, Preliminary Injunction (ECF No. 23), Defendants’ opposition thereto, Plaintiffs’ reply, the parties’ supplemental briefing, the record before the Court, including the arguments presented at the August 14, 2020 hearing, and the applicable law, the Court hereby finds that Plaintiffs are likely to succeed as to Counts 2, 3, and 4 of the Complaint (ECF No. 1); that if the challenged rules were to take effect Plaintiffs are likely to suffer irreparable harm to their ability to operate as organizations and their members are likely to suffer irreparable harm in the form of enforced poverty and jeopardy to their asylum applications that cannot be remedied at the conclusion of the case; and that the public interest and balance of hardships favor a temporary maintenance of the status quo for the purposes of allowing the Court additional time to issue a decision on summary judgment on Counts 2, 3, and 4. It is therefore hereby:

ORDERED that Plaintiffs’ Motion for a Stay of Effective Dates Under 5 U.S.C. § 705 is GRANTED for the limited duration of 14 days to allow for the Court’s consideration of summary judgment on Counts 2, 3, and 4; and it is further

ORDERED that the effective date of the Final Rule titled Removal of 30-Day Processing Provision for Asylum Applicant-Related Form I-765 Employment Authorization Applicants, 85 Fed. Reg. 37,502 (June 22, 2020) (“Timeline Repeal Rule”) shall be postponed under 5 U.S.C. § 705 until September 3, 2020; and it is further

ORDERED that the effective date of the Final Rule titled Asylum Application, Interview, and Employment Authorization for Applicants, 85 Fed. Reg. 38,532 (June 26, 2020) (“Broader EAD Rule”) shall be postponed under 5 U.S.C. § 705 until September 3, 2020; and it is further

ORDERED that Plaintiffs’ request for a Temporary Restraining Order is GRANTED; and it is further

ORDERED that Defendants shall be restrained from implementing or enforcing the Timeline Repeal Rule or the Broader EAD Rule under Fed. R. Civ. P. 65(b) until September 3, 2020; and it is further

ORDERED that this Order expires on September 3, 2020, and Plaintiffs may apply to renew the Order.

DATED: August 20, 2020

Paula Xinis
United States District Judge